

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**AMERINDO INVESTMENT ADVISORS INC.,
AMERINDO INVESTMENT ADVISORS, INC.,
AMERINDO ADVISORS UK LIMITED,
AMERINDO MANAGEMENT INC.,
AMERINDO TECHNOLOGY GROWTH FUND, INC.,
AMERINDO TECHNOLOGY GROWTH FUND II, INC.,
TECHNO RAQUIA, S.A.,
ALBERTO W. VILAR, and
GARY ALAN TANAKA,**

Defendants.

05 Civ. 5231 (RJS)

ECF CASE

PROOF OF CLAIM FORM

Please fill in the information below and supply the supporting documents requested as an attachment to this proof of claim form. This should be received in hand by the Court appointed Receiver for Amerindo Investment Advisors (Panama) *et al.*, whose name and address is below, so as to be received in hand on or before September 20, 2013, 5:00 P.M. (Eastern Standard Time) by (a) certified mail, return receipt requested, or (b) overnight courier, or (hand delivery):

**Ian J. Gazes, Esq.
Gazes LLC
151 Hudson Street
New York, New York 10013**

Debtor means one or more of the Amerindo entities captioned above in which you gave Principal Funds.

Principal Funds means all funds given to the Debtor(s) and **NOT** returned to you.

Profits mean the appreciated value of the Principal Funds. By way of example only, earned interest if you held promissory notes and NOT paid to you.

If you are not sure of a fact, please so state the fact you are not sure about, and provide the best documentation you have including copies of Amerindo

statements for at least three months prior to and after the dates indicated below.

PART A

Please answer the questions below and submit together with this completed form any written agreements between you and the Debtor(s) as concerns the establishment and/or opening of an account with the Debtor(s) (include Amerindo statements for three (3) months prior to the date indicated and after) and Profits prior to May 25, 2005.

THIS PORTION OF THE PROOF OF CLAIM ONLY COVERS PRINCIPAL FUNDS AND PROFITS AS OF MAY 25, 2005

1. Your name, address, email address and phone number, including the name of any entity through which you provided Principal Funds with the Debtor(s). If your name or address had changed, please specify.
2. Name and address of Debtor(s) (Amerindo entity) in which you gave the Principal Funds and the intended Amerindo entity if the recipient entity is different.

Please specify and provide documents reflecting the transmittal of Principal Funds to the Debtor(s).

3. Details including the amount and supporting documentation related to Principal Funds you claim as of May 25, 2005 including any Amerindo statements for three (3) months prior to May 25, 2005 and after, if any:
4. Details including the amount and supporting documentation related to any Profits you claim as of May 25, 2005:
5. Did you receive any distributions from the Debtor on account of your Principal Funds you claim as of May 25, 2005?

If yes please specify any and all distributions and include any payments to third parties by the Debtor(s) on your behalf.

Please attach three (3) statements you received from the Debtor(s).

Please provide copies of all documents that support your claim as of May 25, 2005. Documents could include but are limited to promissory notes, itemized statements of your accounts, cancelled checks, wire transfer confirmations, letters, contracts, judgments, and security agreements. If the claim is secured please attached all document supporting same.

Please answer the questions below and submit together with this completed form any written agreements between you and the Debtor(s) as concerns the establishment and/or opening of an account with the Debtor and appreciated value after May 25, 2005.

PART B

THIS PROOF OF CLAIM ONLY COVERS PRINCIPAL FUNDS AND PROFITS AFTER MAY 25, 2005

1. Your name, address, phone number, and email address including the name of any entity through which you gave Principal Funds to the Debtor(s) after May 25, 2005. If your name or address had changed, please specify.
2. Name and address of Debtor(s) (Amerindo entity) in which you gave the Principal Funds and the intended Amerindo entity if the recipient entity is different. .

Please specify and provide documents reflecting the transmittal of Principal Funds to the Debtor(s).

3. Details including the amount and supporting documentation related to Principal Funds you claim after May 25, 2005 (please attach any statements you received after May 25, 2005):
4. Details including the amount and supporting documentation related to any Profits you claim after May 25, 2005:
5. Did you receive any distributions from the Debtor on account of your Principal Funds you claim after May 25, 2005?

If yes please specify any and all distributions and include any payments to third parties by the Debtor(s) on your behalf.

Please attach the last three (3) statements you received from the Debtor(s).

Please provide copies of all documents that support your claim after May 25, 2005. Documents could include but are limited to promissory notes, itemized statements of your accounts, cancelled checks, wire transfer confirmations, letters, contracts, judgments, and security agreements. If the claim is secured please attached all document supporting same.

Please redact all account numbers other than the last 4 digits on the statement including personal identification numbers such as social security numbers and business EIN numbers.

DO NOT SEND ORIGINAL DOCUMENTS.

Signature:

☐ I am the account owner ☒ I am the account owner's authorized agent

Please note that, although you may make a claim through an agent, you DO NOT NEED TO HAVE AN AGENT to make this claim, and pay or offer to pay an agent merely to make this claim or obtain payment on your account. Your claim will not be reduced if you do not have an agent.

Print Name: Edward T. Swanson on behalf of Lily Cates,
Title: Attorney heir to deceased Anna Gladkoff
Company: _____
Email: etswanson@att.net
Telephone Number: 310-283-1035

Edward T. Swanson 3-11-14
Signature Date

If claim has been assigned please provide the following information:

Name of Assignee: _____
Address of Assignee: _____
Email of Assignee: _____
Tel No. Of Assignee: _____
Date of Assignment: _____

NOTE: THIS IS A REVISED PROOF
OF CLAIM, THE ORIGINAL
WAS FILED ON FEB 28, 2014.

ATTACHMENT TO REVISED PROOF OF CLAIM ON BEHALF OF LILY CATES AS HEIR TO
ANNA P. GLADKOFF

1. Lily Cates, as heir to her mother Anna P. Gladkoff, deceased
c/o Edward T. Swanson, Esq.
2071 N. Altadena Drive
Altadena, CA 91001
Telephone: 310-283-1035
Email: etswanson@att.net
Facsimile: 866-397-0114
2. After Anna sold her home in late 2000, she delivered \$300,000 to Amerindo Investments for the Amerindo B2B Mutual Fund on November 27, 2000 and delivered an additional \$250,000 to Amerindo in January 2001. A cancelled check for the first amount is attached, and a confirmation of the second amount from Heather, who worked under Johanna Olsher in Alberto Vilar's office in New York City, also is attached, together with a letter from Lily Cates regarding this matter. Neither Lily's mother nor Lily ever withdrew or transferred any of these funds.
- 2-5. See attached cancelled check dated November 27, 2000 and handwritten confirmation from Heather of Amerindo dated January 16, 2001, as well as the letter from Lily Cates to the Receiver and Judge Sullivan dated March 11, 2014.

ENDORSE HERE

FOR DEPOSIT ONLY TO THE
ACCOUNT OF WITHIN NAMED
PAYEE IN ABSENCE OF
ENDORSEMENT GUARANTEED
0291 81518

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE *

0110-0001-5
040062731 0110-0001-5
040062731 11-30-00
182-0000000000 HERITAGE BANK 211274450
12/00100-0001-5
03000002155 0410-0001-5
12100000000000 12-29-00 00 0029181518

WFB SF, CA 12062000
TRACER # 6333 PKT. 001
122105278
000000000000

* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

ANNA P. GLADKOFF
LILY CATES
71 REDWOOD AVE.
CORTE MADERA, CA 94925

11-4288 539
1210

1814

DATE Nov. 27, 2000

PAY TO THE ORDER OF Amerindo Investments \$ 300,000.00
Three hundred thousand dollars and 00/100

WELLS FARGO Wells Fargo Bank
www.wellsfargo.com

Valued Customer Since 1979 Wells Portfolio

MEMO Amerindo B2B Mutual Fund Lily Cates/Anna
Free P. 0000000000

⑆ 121042882⑆0557221942⑆1814⑆0000000000⑆

AMERINDO
INVESTMENT ADVISORS INC.

JOHANNA OLSHER
Office of Alberto W. Vilar
Tel: (212) 371-6360
Fax: (212) 753-3539
jolshe@amerindo.com

1.16.01

Mrs Cates,
WE HAVE RECEIVED \$250,000.00
TO INVEST IN THE NAME OF;
MRS. ANNA P. GLADKOFF
c/o LILY CATES (TRUSTEE)
135 WEST 79 STREET
NEW YORK, NEW YORK

COPIES OF STATEMENTS WILL
BE SENT TO HER ACCOUNTANTS
BILL SHINE AND BOB CARILLO
ON A QUARTERLY BASIS.

HEATHER